IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7715 OF 2005

Agwati Kalamsingh Bhandari & Anr. ...Petitioners

Vs.

Seva Sadan Trust & Ors. ...Respondents

Ms.Gauri Godse for the Petitioners.
Mr.A.G.Kothari for Respondent Nos.1 and 2.
Mrs.M.P.Thakur, A.G.P.for Respondent No.3.

CORAM :- B.H.MARLAPALLE &
NARESH H.PATIL,JJ.

DATE : 7TH OCTOBER, 2006

P.C.

1. Heard Ms.Godse, the learned Counsel for the Petitioners and Mr.Kothari the learned Counsel for Respondent Nos.1 and 2. Mrs.Thakur appears for Respondent No.3.

2. The father of Petitioner No.2, who was in employment of Respondent No.2-College for more than 22 years, has expired on 19th November, 1992 and he was working as a Peon at that time. The Government of Maharashtra issued a Government Resolution dated 7th October, 1996 regulating the appointment on compassionate ground and based on the same, the Petitioner submitted resolution dated 29th September, 1999 and on the basis of it the Petitioner No.1 i.e. widow of Mr.Kalamsingh Bhandari submitted an application dated 17th September, 1996 praying for employment on compassionate ground. This application was not decided right up to January, 2005 and again on

26th January, 2005 a similar application was submitted, considering the case of Petitioner No.2 for such an appointment. As there was no response, the Petitioner approached this Court.

3. The Respondent Nos.1 and 2 have filed affidavit in reply and stated that as at present there are three sanctioned posts available in Class-IV, which are lying vacant and these posts are from the cadre of Helper/Sweepper. They are willing to consider the case of Petitioner No.2 for appointment as Helper/Sweepper, if he is willing to accept such an employment and Respondent No.3 would grant approval for such appointment.

4. We direct that Respondent Nos.1 and 2 as stated in the affidavit shall, within a period of four weeks appoint Petitioner No.2 as Helper/Sweeper, subject to his other suitable requirements being fulfilled and after the proposal is submitted to Respondent No.3, the same shall be cleared within two months from its submissions and so long as the post sanctioned is in the existing sanctioned posts. Petition disposed off in terms of the above directions.

(NARESH H.PATIL,J.) **(B.H.MARLAPALLE,J.)**

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